



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Tommy R. Shedd et al.	
Serial No.: 10/774,639	Group Art Unit: 2856
Filed: February 3, 2004	Examiner: Daniel S. Larkin
Title: Apparatus and Method of Portable Automated Biomonitoring of Water Quality	
Attorney Docket No.: CEHR 03-13 02	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☒ under 37 CFR 1.97(c) together with either a:
 - ☒ Statement under 37 CFR 1.97(e), or
 - ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
 - ☐ Statement under 37 CFR 1.97(e), and
 - ☐ a \$180.00 fee set forth in 37 CFR 1.17(p).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Applicant(s) submit herewith Form PTO/SB/08a Information Disclosure Statement by Applicant(s) with copies of non U.S. patents, and published applications, publications or other information of which Applicant(s) are aware, which Applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. Copies of the U.S. patents are not provided pursuant to the August 5, 2003 Official Gazette Notice.

Certification under 37 CFR 1.97 (e)

That each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.704 (d)

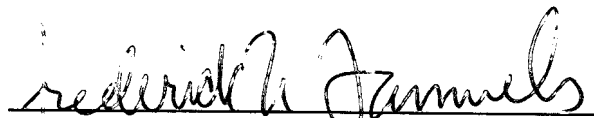
Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the information disclosure statement.

Also attached is a copy of the PCT International Search Report referencing the documents listed on the PTO/SB/08a as Category A documents in the PCT application counterpart to this U.S. patent application. These documents were listed as defining the general state of the art, but were not considered of particular relevance.

Neither this statement nor the listing of these documents on the accompanying Form PTO/SB/08a should be considered as an admission by Applicant(s) that these materials are prior art as to Applicant(s). In addition, this statement should not be construed as a representation that no better disclosure exists.

Entry of the Information Disclosure Statement and the accompanying Form PTO/SB/08a are respectfully solicited.

Respectfully Submitted,



Frederick N. Samuels, Esq.

Reg. No. 34,715

CAHN & SAMUELS, LLP

2000 P Street N.W.

Suite 200

Washington, DC 20036-6924

Telephone No.: 202-331-8777

Facsimile No.: 202-331-3838

Date: *7 March 2005*

